

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: YAO, Chung Ting

SERIAL NO.: 10/728,382

ART UNIT: 2817

FILED: December 5, 2003

EXAMINER: Chang, J.

TITLE: SELF-CALIBRATABLE OSCILLATING DEVICE AND METHOD AND METHOD AND ASIC THEREOF

AMENDMENT "A"

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of May 16, 2005, a response being due by August 16, 2005, please consider the following remarks:

REMARKS

Upon entry of the present amendments, previous Claims 1 - 13 have been canceled and new Claims 14 - 19 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it was indicated that Claims 1, 2, 7 and 10 - 13 were rejected under 35 U.S.C. § 103(b) as anticipated by the Binder patent. The Examiner has also objected to the drawing because Figure 5 shows "YES" and "NO" in the second level of steps reversed. Importantly, it has been indicated that Claims 3 - 6, 8 and 9 are "objected to" as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form, including the limitations of the base claims and any intervening claims.

As an overview to the present reply, Applicant has revised the claim language so as to place the claims into a proper condition for allowance. In particular, certain language contained within the claims has been revised so as to be placed into a more U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claims has been corrected herein. In particular, where functional language is specified, proper “means-plus-function” terminology is included herein.

New independent Claim 14 incorporates the limitations of original independent Claim 1, along with the limitations of objected-to Claim 3. As such, new independent Claim 14 should be in a proper condition for allowance. Dependent Claims 15 - 19 reflect the limitations, respectively, of original dependent Claims 4 - 6.

New independent Claim 18 incorporates the limitations of original independent Claim 7, along with the limitations of objected-to Claim 8. As such, independent Claim 18 should be in a proper condition for allowance. In particular, the functional language associated with the original terminology “phase comparator” has now been properly recited as “phase comparing means”. Similarly, the functional language associated with the “analog/digital converter” is now replaced by the proper means-plus-function terminology of “analog/digital converting means”. Dependent Claim 19 reflects the limitations of original dependent Claim 9.

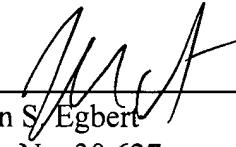
The previous Claims 10 -13 have been canceled herein.

Applicant has revised Figure 5, in the form of the attached “Replacement Sheet”, in order to show the reversing of the terminology “YES” and “NO” in the second level of steps.

Based upon the foregoing analysis, Applicant contends that independent Claims 14 and 18 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

8.16.05
Date


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